

**Amendment and Response**

Applicant: Travis J. Parry et al.

Serial No.: 09/756,356

Filed: Jan. 8, 2001

Docket No.: 10002904-1

Title: WIRELESS RETAIL PURCHASING SYSTEM USING A MOBILE COMPUTING DEVICE

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**IN THE CLAIMS**

Please cancel claims 8 and 10.

Please add new claim 24.

Please amend claims 1-4, 6-7, 9, 11-12, 15, and 22-23 as follows:

1. (Currently Amended) A method of wirelessly electronically ~~identifying an on-site or performing a near-site retail~~ purchase from a ~~retail unit~~ drive-up restaurant using a mobile computing device, the method comprising:

~~communicating via~~ establishing a direct, wireless communication link between the mobile computing device and ~~the retail unit~~ the drive-up restaurant upon the mobile computing device entering into proximity to the drive-up restaurant to perform the following actions:

receiving at the mobile computing device ~~a listing from the retail unit~~ from the drive-up restaurant a menu of food items and displaying the menu on a display of the mobile computing device; and

transmitting from the mobile computing device a purchase request to ~~the retail unit~~ the drive-up restaurant to order selected purchase at least one food items from the listing of food items based on the menu displayed at the mobile computing device; and  
receiving at the mobile computing device from the drive-up restaurant a confirmation of the requested items and displaying the confirmation of the purchase request on the display of the mobile computing device.

2. (Currently Amended) The method of claim 1, further comprising ~~the step of sending a request from the mobile computing device to the retail unit~~ drive-up restaurant to receive a listing of items the menu of food items available for purchase.

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3. (Currently Amended) The method of claim 1, ~~further comprising the step of receiving at performing the near-site purchase as an on-site purchase between the mobile computing device and the drive-up restaurant from the retail unit a confirmation of the ordered items.~~
4. (Currently Amended) The method of claim 1, further comprising picking up the ~~ordered~~ purchased items from the ~~retail unit~~ drive-up restaurant.
5. (Original) The method of claim + 4, further comprising paying for the ~~ordered~~ purchased items via the mobile computing device.
6. (Currently Amended) The method of claim 5, wherein the paying step further comprises sending a secure electronic payment to the ~~retail unit~~ drive-up restaurant for the ~~ordered~~ purchased items.
7. (Currently Amended) The method of claim 6, wherein ~~the step of~~ sending secure payment ~~further~~ comprises paying electronically by at least one of a credit card, a debit card, an electronic funds transfer, and a checking account.
8. (Cancelled) The method of claim 1, further comprising:  
defining the retail unit as a drive-up restaurant; and  
providing the listing as a menu of food items available for purchase.
9. (Currently Amended) The method of claim 1, wherein the communicating step further comprises establishing an independent direct electronic link between the mobile computing device and the ~~retail unit~~ drive-up restaurant for permitting wireless electronic communication therebetween independent of a communication network.
10. (Cancelled) The method of claim 9, further comprising establishing the communication link during the step of requesting a listing of items for purchase.

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11. (Currently Amended) The method of claim 9 1, ~~further comprising~~ wherein establishing the wireless communication link ~~automatically comprises automatically~~ establishing the wireless communication link upon the mobile computing device being near-site relative to the drive-up restaurant and an electronic communication module of the retail unit being in close proximity to each other.

12. (Currently Amended) The method of claim 1, ~~11~~, ~~further~~ wherein receiving the menu comprises ~~comprising performing the step of receiving the listing of available~~ menu of food items immediately upon establishment of the communication link.

13. (Original) The method of claim 1, wherein the mobile computing device comprises at least one of a personal digital assistant, a laptop computer, and a mobile phone.

14. (Original) The method of claim 1, wherein mobile computing device includes voice recognition capability.

15. (Currently Amended) The method of claim 1, further comprising providing the mobile computing device with one or more active display pages for activating functions to transact a [retail] purchase with the ~~retail unit~~ drive-up restaurant including at least the following functions: menu request page, item selection page, ~~order~~ purchase request page, and payment selection page including authorization.

16. (Withdrawn) A method of wirelessly electronically identifying an on-site or near-site retail purchase within a multiple retail unit center using a mobile computing device comprising:

wirelessly electronically communicating between the mobile computing device and one or more retail units within the retail center to perform following functions: sending a request from the mobile computing device to the retail units within the retail unit center to identify select items available for purchase from the retail units within the retail center; and

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receiving at the mobile computing device from at least one of the retail units  
an identification of select items available for purchase at the retail unit.

17. (Withdrawn) The method of claim 16, further comprising sending a request from the mobile computing device to the retail unit to purchase the identified items.

18. (Withdrawn) The method of claim 17, further comprising receiving at the mobile computing device a confirmation from the retail unit of purchase of the items.

19. (Withdrawn) The method of claim 18, further comprising sending electronic secure payment for the purchased items from the mobile computing device to the retail unit.

20. (Withdrawn) The method of claim 16, further comprising receiving at the mobile computing device mapping and routing information sent from the retail units regarding location of each retail unit in the retail center.

21. (Withdrawn) The method of claim 16, further comprising establishing a wireless electronic communication link between the mobile computing device and an electronic communication center of the retail center in addition to communication between the mobile computing device and the retail units.

22. (Currently Amended) A system for identifying and transacting a wireless electronic ~~on-site~~ near-site retail purchase comprising:

a mobile computing device comprising a display;

a ~~retail unit~~ drive-up restaurant including a wireless communication module for direct wireless electronic communication with the mobile computing device; and

a direct wireless ~~electronic~~ communication link between the mobile computing device and the drive-up restaurant retail unit that is activated ~~by at least one of selective activation by the mobile computing device and by automatic activation~~ automatically between upon the mobile computing device and the

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~~retail unit~~ drive-up restaurant upon arrival of the mobile computing device  
~~upon near~~ the premises of the ~~retail unit~~ drive-up restaurant;  
wherein the mobile computing device is configured to, via the direct wireless  
communication link, receive a menu from the drive-up restaurant and display  
the menu on the display of the mobile computing device, transmit a purchase  
order of food items to the drive-up restaurant based on the menu displayed on  
the mobile computing device, receive a confirmation of the purchase order at  
the mobile computing device from the drive-up restaurant and display the  
confirmation on the display of the mobile computing device.

23. (Amended) A wireless purchasing appliance system comprising:

a mobile computing device including a display and a wireless communication module  
configured for local wireless communication with a located at a retail unit drive-up restaurant  
to receive a menu of food items from the drive-up restaurant, display the menu on the display,  
transmit a purchase request to the drive-up restaurant of at least one food items from the  
displayed menu, and receive a confirmation of the purchase request and display the  
confirmation on the display.

~~a wireless appliance configured to establish a communication link with the retail unit~~  
~~via the communication module, receive a listing of items from the retail unit, transmit a~~  
~~purchase request to the retail unit of ordered selected items from the listing, and receive a~~  
~~confirmation of the ordered items.~~

24. (New) The system of claim 22 wherein the near-site purchase is an on-site purchase.